

Councilmember Tommy Wells

Councilmember Mary M. Cheh

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmembers Mary M. Cheh and Tommy Wells introduced the following bill, which was referred to the Committee on _____.

To amend the Traffic Act of 1925 to require the District Department of Motor Vehicles to require an applicant for an operator's permit to demonstrate knowledge of safely sharing roadways with pedestrians and bicyclists, and to allow bicyclists to use pedestrian traffic control devices to cross an intersection unless otherwise indicated; to amend the Fiscal Year 1997 Budget Support Act of 1996 to establish a requirement that public space permit holders blocking a sidewalk, bicycle lane, or other pedestrian or bicycle path provide a safe accommodation for pedestrians and bicyclists; and to amend Title 18 of the District of Columbia Municipal Regulations to establish driving record points and civil fines for failure to yield the right-of-way to a bicycle and colliding with a bicycle, to modify the regulation governing riding two abreast, to modify the requirement for bicycles to have an audible warning device, and to remove restrictions on where a warning device may be used.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Bicycle Safety Amendment Act of 2013".

Sec. 2. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1123; D.C. Official Code § 50-1401.01 *et seq.*), is amended as follows:

(a) Sec. 7(a)(1)(B)(i) (D.C. Official Code § 50-1401.01(a)(1)(B)(i)) is amended by striking the phrase "of the District;" and inserting the phrase "and regulations for safely sharing roadways with pedestrians and bicyclists in the District;" in its place.

(b) A new section 9d (D.C. Official Code § 50-2201.04d) is added to read as follows:

1 “Sec. 9d. Bicyclists’ use of leading pedestrian intervals.

2 “(a) Cyclists may cross at an intersection while following the pedestrian traffic control
3 signal for their direction of travel unless otherwise directed by traffic signs or traffic control
4 devices.

5 “(b) Cyclists may cross an intersection where a leading pedestrian interval is used.”.

6 Sec. 3. Sec. 603 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9,
7 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.03), is amended by adding a new
8 subsection (f) to read as follows:

9 “(f) The Mayor shall require permittees blocking a sidewalk, bicycle lane, or other
10 pedestrian or bicycle path to provide a safe accommodation for pedestrians and bicyclists.”.

11 Sec. 4. Title 18 of the District of Columbia Municipal Regulations (18 DCMR) is
12 amended as follows:

13 (a) Section 303.2 (18 DCMR § 303.2) is amended by adding to the table new infractions
14 (dd) and (ee) to read as follows:

15 “(dd) Failing to yield right-of-way to a person operating a bicycle 3 points

16 “(ee) Colliding with a person operating a bicycle in the process of failing to yield right-
17 of-way 6 points”.

18 (b) Section 1204.5 (18 DCMR §1204.5) is amended to read as follows:

19 “1204.5 A bicyclist riding within the District must be capable of making a warning noise,
20 either with a bell or mechanical device, or with his or her voice, audible for a distance of at least
21 one hundred feet (100 ft.).”.

22 (c) Section 1204.7 (18 DCMR §1204.7) is repealed.

23 (d) Section 2600.1 (18 DCMR § 2600.1) is amended as follows:

(1) A new infraction is added to the table under the caption “Colliding” to read as follows:

“With a person operating a bicycle (§ 2200.4) 500.00”.

(2) A new infraction is added to the table under the caption “Right-of-way” to read as follows:

“Failure to yield right-of-way to a person operating a bicycle (§§ 2207, 2208) 250.00”.

Sec. 5. Rulemaking.

The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.